



**COUNTY OF LOS ANGELES**  
**DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

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ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
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**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

July 05, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

38 July 5, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION  
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT AND VACATION OF  
SLOPE EASEMENT ON AGATE HILL LANE  
IN THE UNINCORPORATED COMMUNITY OF AGUA DULCE  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

**SUBJECT**

This action will allow the County of Los Angeles to abandon an offer of dedication for road easement and vacate a slope easement on Agate Hill Lane in the unincorporated community of Agua Dulce, which are no longer needed for public use. The vacation was requested by the underlying property owner to enhance the property and provide an additional buildable area.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the offer of dedication for road easement and the easement for slope purposes on Agate Hill Lane in the unincorporated community of Agua Dulce have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that they may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.

3. Find that the offer of dedication for road easement and the easement for slope purposes on Agate Hill Lane in the unincorporated community of Agua Dulce are excess and there are no other public utilities located within the easements and that they may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.
4. Find that the offer of dedication for road easement on Agate Hill Lane in the unincorporated community of Agua Dulce is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.
5. Terminate the offer of dedication for road easement on Agate Hill Lane in the unincorporated community of Agua Dulce and abandon the County of Los Angeles' right to accept and open the street pursuant to Section 66477.2(c) of the California Government Code.
6. Adopt the Resolution of Summary Vacation.
7. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to abandon the offer of dedication for road easement and vacate the easement for slope purposes on Agate Hill Lane (Easements) in the unincorporated community of Agua Dulce since they no longer serve the purpose for which they were dedicated and are not required for public use.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The vacation of the Easements will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The area of the offer of dedication for road easement to be abandoned contains approximately 18,341 square feet, and the area of the easement for slope purposes to be vacated contains approximately 12,229 square feet. Both are shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a

local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8333(c) provides that the legislative body of a local agency may summarily vacate a public service easement that has been determined to be excess, and there are no other public utilities located within the easement.

Government Code Section 66477.2(c) provides "Offers of dedication which are covered by subdivision (a) may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the California Streets and Highways Code."

The County's interest in the offer of dedication for road easement (private and future street) and the slope easement were acquired by Document No. 91-427681 and 91 427679, respectively, of Official Records, both recorded on March 26, 1991, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as easements for public road and highway purposes and slope purposes respectively.

The offer of dedication for road easement was never accepted by the County, no improvements were ever made to the right of way by the County, and this area has never been used for County highway purposes.

Stack Engineering Company requested the vacation on behalf of Mr. and Mrs. Paul F. Morgan (trustees of the Morgan Family Trust), the underlying property owners, to provide improvements to the property as part of the construction of a new utility building.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements. Your action will result in the property being unencumbered by the Easements and available to the property owners for use without restriction of the Easements.

### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of the CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for additional property taxes through the elimination of the Easements.

**CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset  
Management)  
Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office

**RESOLUTION OF SUMMARY VACATION  
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT AND  
VACATION OF SLOPE EASEMENT ON AGATE HILL LANE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the recipient of an offer of dedication for road easement and the holder of an easement for slope purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements, on Agate Hill Lane, are located in the unincorporated community of Agua Dulce in the County of Los Angeles, State of California.
2. The Easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easements are excess and there are no other public utilities located within the Easements.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
5. The Easements are hereby vacated and abandoned pursuant to Section 66477.2 (c) of the California Government Code and pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, State of California, commencing with Section 8330.
6. The Director of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated, and the County's right to accept said offer of dedication will be abandoned.
7. From and after the date this resolution is recorded, the Easements will no longer constitute a street, highway, or public service easement.

The foregoing resolution was on the 5<sup>th</sup> day of July, 2011,  
adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the  
governing body of all other special assessment and taxing districts for which said Board  
so acts.

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APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN  
County Counsel

By Julia Wesson  
Deputy

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By Ch Tol  
Deputy

GT:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER ENCLOSURE\GATE HILL LANE RES ENCLOSURE





## EXHIBIT A

### AGATE HILL LANE & SLOPE EASEMENT SWLY/O SIERRA HWY

A.I.N. 3216-008-022 (Portions)

T.G. 4374-C3

I.M. 294-197

R.D. 553

S.D. 5

M0788101

### LEGAL DESCRIPTION

#### **PARCEL NO. 1-1ABN:** (Abandonment of an offer to dedicate road easement)

That certain parcel of land in the north half of the northwest quarter of the southwest quarter of Section 17, Township 5 North, Range 13 West, S.B.M., designated as "AGAMA ROAD (PRIVATE AND FUTURE STREET)" now known as AGATE HILL LANE and shown as PARCEL 1 in the Irrevocable Offer to Dedicate and Grant of Easement, recorded on March 26, 1991, as Document No. 91-427681, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

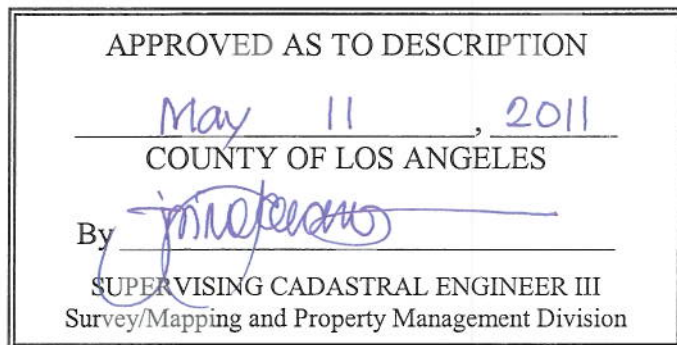
Excepting therefrom the southerly 50 feet.

Total Area: 18,341±square feet

#### **PARCEL NO. 1-1VAC:** (Vacation of Slope Easement)

That portion of that certain parcel of land in the north half of the northwest quarter of the southwest quarter of Section 17, Township 5 North, Range 13 West, S.B.M., shown as PARCEL 2 in deed to the COUNTY OF LOS ANGELES, recorded on March 26, 1991, as Document No. 91-427679, of above-mentioned Official Records, lying northerly of a line parallel with and 20 feet northerly, measured at right angles, from the southerly line of said PARCEL 2.

Total Area: 12,229±square feet



This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.

